

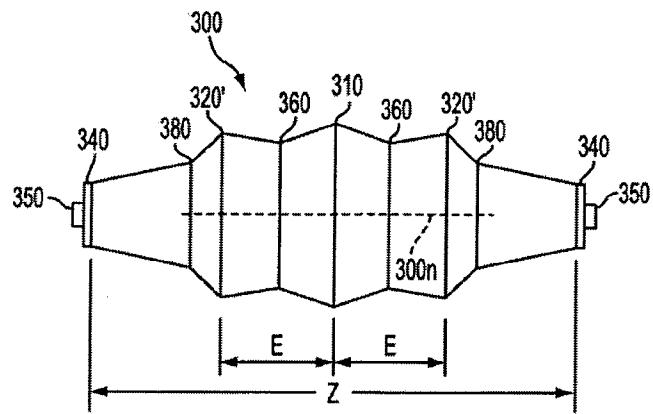
REMARKS / ARGUMENTS

Claims 22-34 have been amended. Applicants respectfully request reconsideration of the pending claims.

1. Claim Rejection – 35 U.S.C. § 102(e) – Claims 22, 23, 26, 28 and 29

The Examiner rejected claims 22, 23, 26, 28 and 29 under 35 U.S.C. § 102(e) as being anticipated by Ishii *et al.* (US 6,257,475). This rejection is respectfully traversed.

Independent claim 22 recites the feature, “wherein the first side portion comprises a roughened tapered surface.” The Examiner asserted that this feature is disclosed by Ishii’s cutting roller 300, the cutting roller 300 having a first side portion 320’ with a tapered surface. Ishii discloses a cutting roller 300 having a variable diameter hard tube with a plurality of pointed circumferential cutting edges (see Ishii, column 3, lines 16-25 and FIG. 1 below). Nothing in Ishii discloses the claimed roughened tapered surface feature.



Claim 22 also recites the feature, “wherein the tear bar is rotationally fixed during separation of the one of the plurality of pieces of media from the fan folded strip of media.” The Examiner asserted that this feature is disclosed by Ishii’s cutting roller 300, the cutting roller having a fixed position relative to an X axis and a Y axis. However, Ishii’s cutting roller 300 rotates via an axle 350 and metal washers 340 (see Ishii, column 3, lines 16-18 and FIG. 1 above). In turn, Ishii does not disclose the claimed rotationally fixed feature.

Because Ishii does not disclose, either expressly or inherently, each and every limitation of claim 22, Ishii does not anticipate claim 22. At least by virtue of their dependence from claim 22, claims 23, 26, 28 and 29 are not anticipated by Ishii. In sum, it is respectfully requested that the Examiner withdraw the rejection and allow claims 22, 23, 26, 28 and 29 to issue.

2. Claim Rejection – 35 U.S.C. § 102(b) – Claims 30-33

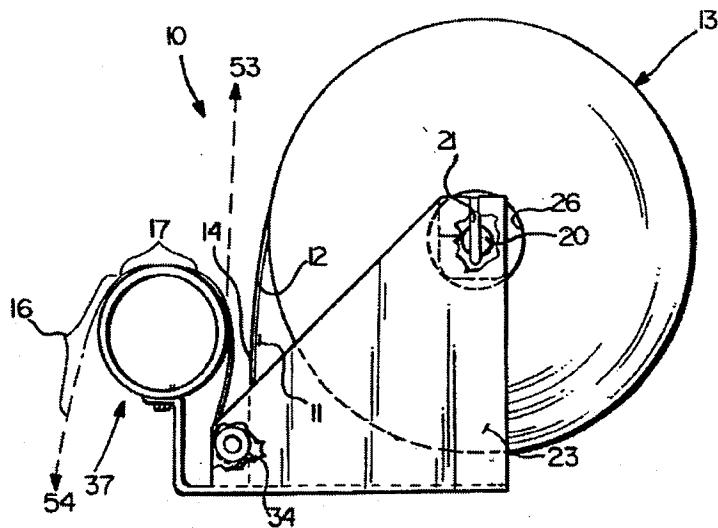
The Examiner rejected claims 30-33 under 35 U.S.C. § 102(b) as being anticipated by Ishii *et al.* (US 6,257,475). This rejection is respectfully traversed.

Independent claim 30 is not anticipated by Ishii for the same reasons set forth with regard to claim 22. At least by virtue of their dependence from claim 30, claims 31-33 are not anticipated by Ishii. Therefore, it is respectfully requested that the Examiner withdraw the rejection and allow claims 30-33 to issue.

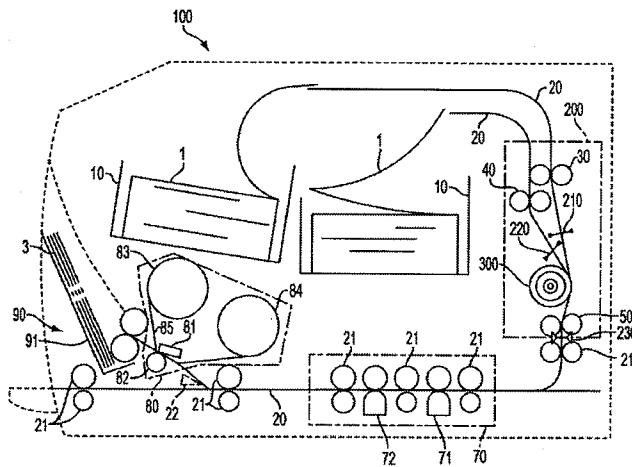
3. Claim Rejections – 35 U.S.C. § 103(a) – Claims 22-34

The Examiner rejected claims 22-34 under 35 U.S.C. § 103(a) as being unpatentable over Michelovic (US 5,624,066) in view of Ishii *et al.* (US 6,257,475). This rejection is respectfully traversed.

Independent claim 22 recites the feature, “a fan folded strip of media having a plurality of pieces of media attached end to end.” In contrast, Michelovic discloses only one configuration of labels 11, a roll 13 of labels (see Michelovic, column 3, line 55-60 and FIG. 1 below).



The Examiner asserted that claim 22 is obvious based on modifying Michelovic's tear surface means 37 to include the tapered surface of Ishii's roller cutter. Regardless of a modified Michelovic tear surface means 37 with an Ishii tapered surface, Michelovic's roll of labels cannot be modified into Ishii's fan folded strip 1, as shown below in bin 10 of Ishii's FIG. 2.



Every Michelovic label includes an adhesive face 12 (see Michelovic, column 3, lines 55-60). Should Michelovic's labels be fan folded, every two adjacent labels would be adhesively attached face to face necessarily resulting in an accordion of labels. The accordion of labels physically cannot be fed around either Michelovic's tensioning means 34 or tearing surface means 37. Moreover, it would be impossible for a user to separate adjacent labels by "snapping" a leading label about the tearing means 37.

Because the separation of adjacent one side adhesive labels configured in a fan folded strip cannot be accomplished with Michelovic's apparatus, the utility of Michelovic would be destroyed if Michelovic's plurality of labels would be reconfigured from a roll to fan folded.

Considering the converse, Ishii's cutting roller 300 cannot be modified into a nonrotating fixed diameter tearing shaft, as taught in Michelovic, either. Ishii's utility would be destroyed if Ishii's cutting roller 300 cannot either roll or include a pointed cutting edge.

Consequently, Michelovic does not disclose, teach, or suggest each and every limitation of claim 22. Furthermore, Michelovic cannot be modified with Ishii's fan folding feature

because it would destroy Michelovic's utility. And, Ishii cannot be modified with Michelovic's nonrotating fixed diameter tearing shaft because it would destroy Ishii's utility. Therefore, claim 22 is not obvious from Michelovic in view of Ishii.

Independent claim 30 is not obvious from Michelovic in view of Ishii for the same reasons as set forth with regard to claim 22. By virtue of their respective dependence from claims 22 and 30, claims 23-29 and 31-34 are not obvious from Michelovic in view of Ishii.

In sum, it is respectfully requested that the Examiner withdraw the rejection and allow claims 22-34 to issue.

CONCLUSION

Applicants have made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of all of claims 1-8 and 22-34 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

The Commissioner is hereby authorized to charge the fees indicated in the Fee Transmittal, any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17, or to credit any overpayments, to Deposit Account No. 194293, Deposit Account Name STEPTOE & JOHNSON LLP.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 734-3200. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,



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